

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

<b>PATRICK DAVIS,</b>	)
	)
<b>Plaintiff,</b>	)
	)
<b>v.</b>	) <b>CIVIL ACTION NO. 5:12-CV-146(MTT)</b>
	)
<b>STEVE UPTON, et al.,</b>	)
	)
<b>Defendants.</b>	)
	)

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**ORDER**

This matter is before the Court on the Recommendation of United States Magistrate Judge Charles H. Weigle. (Doc. 5). The Magistrate Judge recommends dismissing Defendant John Doe Cert Officer because the Plaintiff failed to identify said Defendant prior to the expiration of the statute of limitations. The Magistrate Judge also recommends dismissing without prejudice Defendants Floyd, Upton, Johnson, and Moore. The Plaintiff has filed an objection to the Recommendation. (Doc. 10). Pursuant to 28 U.S.C. § 636(b)(1), the Court has considered the Plaintiff's objection and has made a de novo determination of the portions of the Recommendation to which the Plaintiff objects.

The Recommendation is adopted and made the order of this Court. Defendant John Doe Cert Officer is **dismissed** from this action. Further, Defendants Floyd, Upton, Johnson, and Moore are **dismissed without prejudice**.

**SO ORDERED**, this 6th day of June, 2012.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT